

<b>UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY (NEWARK)</b>	
<b>Robertson, Anschutz, Schneid, Crane &amp; Partners, PLLC</b> 130 Clinton Road, Suite 202 Fairfield, NJ 07004 Telephone Number 973-575-0707 Attorneys For Secured Creditor  Harold Kaplan, Esq. (HK-0226)	CASE NO.: 22-14900-JKS  CHAPTER 13  <b>Objection to Confirmation of Debtor's Chapter 13 Plan</b>
<b>In Re:</b>  <b>Shawnett A. Jarrett, Debtor.</b>	

**OBJECTION TO CONFIRMATION OF DEBTOR'S CHAPTER 13 PLAN**

Grand Avenue Mortgage Loan Trust 2017-RPL1 ("Secured Creditor"), by and through its undersigned counsel, objects to confirmation of Debtor's Chapter 13 Plan (DE #2), and states as follows:

1. Debtor, Shawnett A. Jarrett, filed a voluntary petition pursuant to Chapter 13 of the Bankruptcy Code on June 15, 2022.
2. Secured Creditor holds a security interest in the Debtor's real property located at 749 -751 18th St, Irvington, NJ 07111, by virtue of a Mortgage recorded on March 11, 2011 at Instrument number 11021606 of the Public Records of Essex County, NJ. Said Mortgage secures a Note in the amount of \$193,162.00.
3. The Debtor filed a Chapter 13 Plan on June 15, 2022.
4. The Plan includes payments toward the Note and Mortgage with Secured Creditor, however the figures used by the Debtor are inaccurate. It is anticipated that Secured Creditor's claim will show the pre-petition arrearage due Secured Creditor is \$55,515.42, whereas the Plan proposes to pay only \$53,960.00. Therefore, the Plan is not in compliance with the requirements of 11 U.S.C. §§ 1322(b)(3) and 1325(a)(5) and cannot

be confirmed. Secured Creditor objects to any plan which proposes to pay it anything less than \$55,515.42 as the pre-petition arrearage over the life of the plan.

5. The Plan does not appear feasible due to inadequate treatment of Secured Creditor's claim. Thus, the plan violates the provisions of 11 U.S.C. § 1325(a)(3) and cannot be confirmed.

**WHEREFORE**, Secured Creditor respectfully requests this Court sustain the objections stated herein and deny confirmation of Debtor's Plan, and for such other and further relief as the Court may deem just and proper.

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PLLC  
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**CERTIFICATION OF SERVICE**

1. I, Harold Kaplan, Grand Avenue Mortgage Loan Trust 2017-RPL1 in this matter.
2. On July 1, 2022, I caused a copy of the following pleadings and/or documents to be sent to the parties listed in the chart below:

**OBJECTION TO CONFIRMATION OF DEBTOR'S CHAPTER 13 PLAN**

3. I certify under penalty of perjury that the above documents were sent using the mode of service indicated.

7/1/2022

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By: /s/Harold Kaplan  
Harold Kaplan, Esquire  
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<u>Name and Address of Party Served</u>	<u>Relationship of Party to the Case</u>	<u>Mode of Service</u>
Low & Low 505 Main St., Suite 304 Hackensack, NJ 07601	Attorney for Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other  (as authorized by the court*)
Shawnett A. Jarrett 170 40th St. Irvington, NJ 07111	Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other  (as authorized by the court*)
Marie-Ann Greenberg 30 Two Bridges Rd Suite 330 Fairfield, NJ 07004-1550	Trustee	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other  (as authorized by the court*)
U.S. Trustee One Newark Center Ste 2100 Newark, NJ 07102	U.S. Trustee	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other  (as authorized by the court*)